

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

TRUE THE VOTE, et al.

PLAINTIFFS

v.

Civil Action No.: 3:14-cv-00532-NFA

**THE HONORABLE DELBERT HOSEMAN,
in his official capacity as Secretary of State for
the State of Mississippi, et al.**

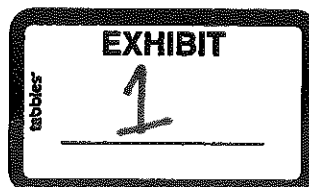
DEFENDANTS

AFFIDAVIT OF RANKIN COUNTY, MISSISSIPPI, CIRCUIT CLERK

STATE OF MISSISSIPPI
COUNTY OF RANKIN

BEFORE ME the undersigned Notary Public in and for the jurisdiction aforescribed personally appeared the within named Rebecca N. Boyd, who is known to me to be the duly elected and qualified Circuit Clerk of Rankin County, Mississippi, and who, after having first been duly sworn did depose and state the following:

1. My name is Rebecca N. "Becky" Boyd and I am the duly elected and qualified Circuit Clerk for Rankin County, Mississippi.
2. I have personal knowledge of all facts stated herein.
3. I am over the age of twenty-one and not the convict of a felony.
4. In my capacity as the duly elected and qualified Circuit Clerk for Rankin County, Mississippi, I am obligated by law to maintain possession and control of specified election materials as set forth in Title 23, Section 15 of the Mississippi Code of 1972, as amended (the "Election Documents"). I carry out this duty for each election conducted in Rankin County, Mississippi, whether local, state or federal in nature.



5. On June 3, 2014, both the Republican and Democrat parties conducted primary elections for the selection of party nominees for the November, 2014, general election. Following the June 3, 2014, election I took possession of the Election Documents.

6. On June 24, 2014, a runoff election was held to determine the Republican nominee for U.S. Senate. Following the June 24, 2014, runoff election, I took possession of the Election Documents.

7. Between the June 3, 2014, election and the runoff election on June 24, 2014, I received requests for access to Election Documents from representatives of the winning candidate for the Republican U.S. Senate Nominee and representatives of the defeated candidate. I provided copies of a compilation of Election Documents to the winning candidate's campaign representatives upon payment of agreed upon copy charges. The defeated candidate's campaign refused to pay any copy charges, so no Election Documents were provided to the defeated candidate's campaign. Other than the winning candidate's campaign and the defeated candidate's campaign, between the June 3, 2014 election and the June 24, 2014, runoff election, I received no oral or written request for access to Election Documents from any person, firm or corporation.

8. Well after the June 24, 2014, runoff election, I received numerous oral, in-person requests for access to Election Documents. The vast majority of these oral, in-person requests were made on or after July 7, 2014, which was the date the defeated candidate and his campaign officials selected to begin review of ballot box contents under Mississippi law. No person that

made an in-person, oral request for access to Election Documents invoked the National Voter Registration Act at the time the oral request was made.

9. On July 7, 2014, the defeated candidate designated official representatives who appeared at my office to conduct a ballot box contents inspection pursuant to Mississippi law. Pursuant to Mississippi law, only authorized representatives of the candidates in an election may gain access to ballot box contents.

10. At approximately 9:20 a.m. on the morning of July 7, 2014, two individuals identifying themselves as Julia Hoenig and Jeanne Webb came to my office and requested permission to participate in the ballot box inspection scheduled to start 10 minutes later. I explained to Julia Hoenig and Jeanne Webb that the ballot box inspection is reserved for authorized campaign representatives only. I asked Julia Hoenig and Jeanne Webb if they were affiliated with the defeated candidate's campaign and they both responded that they were not affiliated with the defeated candidate's campaign but were concerned citizens interested in determining whether illegal voter activity took place during the June 24, 2014, runoff election. Neither individual identified themselves as volunteers for True the Vote. I requested that Julia Hoenig and Jeanne Webb return to my office later in the day on July 7, 2014, after the ballot box inspection was concluded to discuss the process for requesting copies of Election Documents.

11. After the ballot box inspection was in process, I witnessed Julia Hoenig and Jeanne Webb illegally gain access to the ballot box inspection process. I also noticed two men who were not authorized representatives of the defeated candidate's campaign illegally gain access to the ballot box inspection process. One of the men I later identified as Gregg Prentice.

I advised Julia Hoenig, Jeanne Webb, Gregg Prentice and the other man that their act of accessing the ballot box contents was a violation of Mississippi election law. All four individuals complied with my request to leave the area.

12. Julia Hoenig, Jeanne Webb and Gregg Prentice returned at later times on July 7, 2014, to discuss their request for copies of Election Documents. At no point in any conversation that I had with these individuals was the phrase "National Voter Registration Act" used in conjunction with their request for Election Documents.

13. I provided Ms. Hoenig with a copy of an Official Rankin County, Mississippi, Public Record Request Form for her completion. Ms. Hoenig completed the request and submitted it to me for response. A true and accurate copy of the request is attached hereto as Exhibit "A."

14. The phrase "National Voter Registration Act" does not appear on the public record request form or attachments thereto that were submitted to me and as identified as Exhibit "A."

15. At no point prior to the June 24, 2014, runoff election did any individual who is listed as a Plaintiff in this case come to my office in Brandon, Mississippi, and make any request, whether oral or in writing, for access to Election Documents. To my knowledge, no person named Catherine Englebrecht came to my office in Brandon, Mississippi, prior to the runoff election on June 24, 2014, to request access to Election Documents.

16. At no point has any person, firm or corporation made a request for access to Election Documents by invoking the National Voter Registration Act in any manner whatsoever.

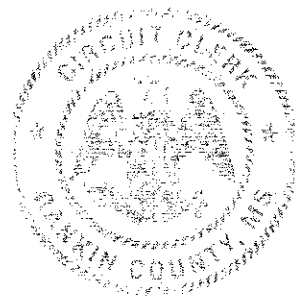
FURTHER AFFIANT SAYETH NOUGHT.

Rebecca N. Boyd
REBECCA N. BOYD
CIRCUIT CLERK, RANKIN COUNTY

SWORN TO AND SUBSCRIBED before me this the 15 day of August, 2014.

Kathy Henderson D.C.
Notary Public

My Commission Expires:
My Commission Expires Jan. 2, 2016



PUBLIC RECORD REQUEST
RANKIN COUNTY, MISSISSIPPI
 (Form Revised October 15, 2010)

SECTION 1: INFORMATION REGARDING REQUESTING INDIVIDUAL

Name: Julia Herring
 Title: _____
 Telephone #: 601-404-5366 Facsimile #: _____ E-mail Address: Julia.Herring@jagmail.com
 Firm Name or Trade Name: _____
 Mailing Address: 3376 Creek Hollow Rd
 City: Blacklick State: MS Zip: 39207

SECTION 2: RECORDS REQUESTED

Describe the record you are requesting. Please be as specific as possible and include enough detail to assist the staff of Rankin County, Mississippi in locating the records. You are limited to only one subject matter per request. For a request that includes multiple subject matters, you are required to submit separate Public Record Request forms.

Description of Documents Requested (please describe the documents requested as accurately as possible):

Recreation ballots in person - physical ballots
Republican primary & general election data by precinct in person & absentee
democratic " " " " votes

SECTION 3: RECEIVING RECORDS, CERTIFICATION

Please specify the preferred method of receiving the requested records and whether you require the records to be certified. I would like to receive the records in the following format (check all that apply):

- ☐ By postal mail at the mailing address shown above
☒ By e-mail at the e-mail address shown above --
☐ I require that the records be certified
☐ I prefer to retrieve the records in person
☐ I prefer the records in hard copy format
☐ I prefer the records on compact disk

SECTION 4: OTHER PARTIES, POLITICAL SUBDIVISIONS, OR AGENCIES CONTACTED BY THE REQUESTER CONCERNING THIS REQUEST

I list below each political subdivision that you have contacted regarding this request:

Please list below any third-party other than a political subdivision that you have contacted concerning this request:

By signing below, I certify that the information that I have given above is true and correct to the best of my knowledge.

Signature: Julia Herring
 Printed Name: Julia Herring
 Title: _____
 Date of Request: 7/27/14

SECTION 5: GENERAL INFORMATION CONCERNING YOUR PUBLIC RECORD REQUEST FROM

EXHIBIT "A"
TO AFFIDAVIT OF BECKY BOYD

1 of 3

Jelisa Hoang 614-404-6366

1) we would like to see physical
absentee ballots after the
campaigns are thru for
both primary & run-off.

2) We would like electronic
reports sent to
taylor.phillips@gmail.com
(text or ours file?)
see attachments for the
files requested.

Electronic File from the June 24th Runoff (By Precinct)

-List of all Republican Voters who voted by Precinct

1. -in person on Election Day - not on computer opt
2. -via absentee ballot - 50 pages

-List of all Democratic Voters who voted by Precinct

3. -in person on Election Day - not on computer opt
4. -via absentee ballot - 1 page

Electronic File from the June 3rd Primary (By Precinct)

-List of all the Republican Voters who voted by Precinct:

5. -in person on Election Day - 3,007 pages
6. -via absentee ballot

-List of all the Democratic Voters who voted by Precinct:

7. -in person on Election Day - not on computer opt
8. -via absentee ballot

poll books -
17510 pages
2028